

GOVERNMENT OF ANDHRA PRADESH
HIGHER EDUCATION (C.E.II.2) DEPARTMENT
ABSTRACT

Private Aided colleges - Sri. L.Chennaiah, Ex-Lecturer (Zoology), A.K.Navjeevan Women's College, Ramkot, Hyderabad permitting to join duty as Lecturer in Zoology as per Interim Orders of the Hon'ble High Court in W.P.M.P.No.2632 of 2010 in W.P.No.1966 of 2010, dated 03-02-2010 - Permission accorded - orders - issued.

HIGHER EDUCATION (C.E.II.2) DEPARTMENT

G.O.Rt.No. 425

Dated:04-07-2012

Read the following:-

Ref: 1. From the Commissioner of Collegiate Education, A.P., Hyd., Lr.Rc.No.603/Admn.V-2/2009, dated 30-06-2009.

2. Interim orders of the Hon'ble High Court of A.P. in W.P.M.P.No.2632 of 2010 in W.P.No.1966 of 2010 dated: 03-02-2010

3. Govt. Memo. No. 6186/C.E.II.2/2012-3, dated:19-01-2012.

4. From the D.C.E., A.P., Hyderabad, Lr. Rc. No. 603/Admn.IV-2/ 2009, dated 27-01-2012 and even No. dated:01-03-2012, 17-04-2012 & 16-06-2012

ORDER:-

In the references 1st and 4th read above, the Commissioner of Collegiate Education has stated that (i) Sri L.Chennaiah, Ex.Lecturer in Zoology, A.K.Navjeevan Women's College, Ramkot, Hyderabad has appointed as Lecturer in Zoology on 14.3.2002 and his services were regularized in the said cadre. Subsequently he resigned to his duties in order to contest Assembly Elections from Badvel Assembly Constituency in the elections held in the month of April, 2009 and was unsuccessful, as a result he was requested for permission for withdrawal of his resignation letter and requested to give permission to resume his duties as Lecturer in Zoology, A.K.Navjeevan Women's College, Ramkot, Hyderabad. (ii) Sri L.Chennaiah, Ex.Lecturer in Zoology, has resigned from A.K.Navjeevan Women's College, Ramkot, Hyderabad which is an aided college on 4.10.2008. His resignation has already been accepted by the management of A.K.Navjeevan Women's College, Ramkot, Hyderabad who is the appointing authority. (iii) As per Rule 30 (v) of the A.P.State and Subordinate Service Rules, 1996 withdrawal of resignation after acceptance by the appointing authority is not permissible without the orders of Government. (iv) The management does not have objection to withdraw his resignation and admit him to duty provided that he is permitted to do so. He has requested the Government to issue suitable orders in the matter.

2. In the reference 2nd read above, Sri L.Chennaiah, Ex.Lecturer in Zoology, A.K.Navjeevan Women's College, Ramkot, Hyderabad has filed WP No.1966 of 2010 in the Hon'ble High Court of Andhra Pradesh, Hyderabad with a prayer to permit him to withdraw his resignation made voluntarily to the post of Lecturer in Zoology and to direct the 3rd respondent College to forthwith in terms of the Memo No.603/Admn.V.2/2009, dated 03.09.2009 without insisting for permission from the 2nd respondent (CCE) with all consequential benefits, including continuity of his service and all other attendant benefits, monetary or otherwise w.e.f.15.06.2009 pending disposal of the Writ Petition.

3. In the reference 2nd read above, the Hon'ble H.C. of A.P., Hyderabad in its interim order dt.03.02.2010 in W.P.M.P.No.2632 of 2010 in W.P.No.1966 of 2010 directed that: -

Count.P.2

"It appears, the petitioner, who had been working as lecturer in Zoology in the 3rd respondent college, submitted resignation application dated 4.10.2008 to the Secretary & Correspondent of the said college, seeking to accept his resignation with effect from 31.10.2008, and the said application was forwarded to the 2nd respondent- Commissioner of Collegiate Education, A.P., for approval, on 24.10.2008. However, thereafter, the petitioner decided to withdraw the resignation application and therefore submitted an application to the 2nd respondent, on 15.06.2009, seeking to permit him to withdraw the resignation application submitted by him and join duty. The said application dated 15.6.2009 was forwarded to the Government and the Government sought the 2nd respondent to furnish a copy of the order passed, accepting the resignation of the petitioner by the competent authority, and the 2nd respondent, in turn, addressed to the 3rd respondent for furnishing the same. However, it seems no such order or resolution has been passed by the competent authority, accepting or approving the resignation of the petitioner, and the same was intimated to the 2nd respondent by the 3rd respondent and the 3rd respondent also addressed a letter dated 4.12.2009 to the 2nd respondent, expressing no objection for permitting the petitioner to withdraw his resignation and join duty, provided the 2nd respondent accords permission for the same. The petitioner contends that since his resignation made voluntarily on 4.10.2008 was not accepted either by the appointing authority or any other higher authority till date, the 3rd respondent can accept his request for withdrawal of the resignation and permit him to join duty, without seeking permission from the 2nd respondent.

In the facts and circumstances, there shall be interim direction to the respondents to permit the petitioner to join duty as Lecturer in Zoology in the 3rd respondent college and continue as such until further orders".

4. After careful examination of the entire issue and to comply the interim orders of the Hon'ble High Court of Andhra Pradesh referred to above, the Government hereby accord permission to the CCE, A.P., Hyderabad to permit the petitioner i.e, Sri. L. Chennaiah to join duty as Lecturer in Zoology in the A.K. Navajeevn Women's College, Ramakote, Hyderabad and release the salary due to the individual with effect from 17-07-2010 to till date, subject to outcome of the final orders of the Hon'ble High Court of Andhra Pradesh in W.P.No. 1966 of 2010.

5. The Commissioner of Collegiate Education, A.P., Hyderabad shall take further action in the matter accordingly.

6. This order issues with the concurrence of Finance (Expr-H.E) Department vide their U.O.NO 6673/541/Exp(H.E)/2012 ,dated:04-07-2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.G. GOPAL,
PRINCIPAL SECRETARY TO GOVERNMENT

To,

The Commissioner of Collegiate Education, A.P., Hyderabad

The individual concerned through the Commissioner of Collegiate Education, A.P., Hyderabad

The Accountant General, A.P., Hyderabad

The Director of Treasuries and Accounts, A.P., Hyderabad

The Pay and Accounts officer, Hyderabad

The Government Pleader for Higher Education, A.P., High Court, Hyderabad with a request to place the order before the Hon'ble High Court of Andhra Pradesh

Copy to the Finance (Expr. HE) Department

Copy to stock file/spare

// FORWARDED :: BY ORDER //

SECTION OFFICER